

Dear Ms Slack-Bean,

It is time for New York State to pass the HALT Solitary Confinement Act (A3080 / S4784) to set minimum, humane, and intelligent standards in all our prisons across the state. The overuse, misuse and abuse of solitary confinement in prisons all over the USA, including in New York State, makes me feel ashamed to live in this land. Most people who are forced into solitary confinement are there as punishment for violent behavior, and the intention is to diminish this type of behavior. Yet, extreme solitary confinement has consistently generated more violence. Solitary confinement is not only a failure in decreasing violent behavior, it produces mental imbalance in even the most mentally sane people.

Despite the very real human cost that the overuse of solitary exacts, the proposed regulations grant broad discretion to jail administrators to ignore them, and keep any person they choose in solitary 23-24 hours a day for “safety, security, or good order.” The proposed requirement for a minimum amount of out-of-cell time (4 hours) is important, but is undercut by the explicit license for the Jail Chief to override that requirement when he/she sees fit and by the allowance that such out-of-cell time be spent under solitary conditions rather than with other people. Under the proposed regulations, there is no limitation on how long a person can be subjected to solitary, so people will still be able to be held for months or years in solitary, including kids and pregnant women in jails.

Today, I urge the Governor and SCOC to adopt the provisions of HALT as the standards to be applied to our local jails, limiting the duration to 15 consecutive days, and providing humane and effective, program-based alternatives. This is particularly critical given that 70% of people being held in our local jails are awaiting trial for charges of which they have not been convicted.

Sincerely,

Dan Doniger